

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

KATHERINE MITCHELL,

Plaintiff,

Case No. 3:14-cv-198

vs.

CITY OF DAYTON, *et al.*,

District Judge Walter H. Rice

Magistrate Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING THE MOTION TO WITHDRAW (DOC. 11) FILED BY PLAINTIFF'S ATTORNEYS; (2) *SUA SPONTE* GRANTING PLAINTIFF AN EXTENSION OF TIME UNTIL AUGUST 17, 2015 TO RESPOND TO OUTSTANDING DISCOVERY REQUESTS; AND (3) SETTING THIS CASE FOR A DISCOVERY STATUS CONFERENCE BY TELEPHONE ON AUGUST 18, 2015

This civil case is before the Court on the motion to withdraw filed by Plaintiff's attorneys Chad Cooper, Christine Cooper, and Thomas Kendo, Jr. Doc. 11. For good cause shown, the motion to withdraw (doc. 11) is **GRANTED**.

Plaintiff Katherine Mitchell is **ADVISED** as follows: in the absence of new counsel entering an appearance in this case on Plaintiff's behalf on or before **August 10, 2015**, Plaintiff will be deemed as proceeding *pro se* (*i.e.*, without the assistance of counsel). If Plaintiff elects to proceed *pro se*, she shall promptly provide her contact information (including mailing address, phone number, and email), in writing, to counsel for Defendants and the Court so that Defendants and the Court can communicate with her. If proceeding *pro se*, Plaintiff must attach a Certificate of Service to each document she files with the Court and mail a copy of every document filed to Defendants' counsel of record, thereby advising counsel and the Court of the

date on which her document was filed. Plaintiff is **ADVISED** that her failure to comply with this Order may result in the dismissal of the complaint.

In light of the withdrawal of Plaintiff's counsel, the Court *sua sponte* **GRANTS** Plaintiff an extension of time until **August 17, 2015** to respond to all outstanding discovery requests served by Defendants, and to respond to Defendants' motion to compel (doc. 10) -- which shall remain pending on the Court's docket. On or before **August 5, 2015**, Defendants are **ORDERED** to mail a copy of all outstanding discovery requests and the motion to compel to Plaintiff at the address set forth in the Certificate of Service appended to the motion to withdraw (doc. 11 at PageID 195), *i.e.*, **35 Illinois Avenue, Dayton, Ohio 45410**. Plaintiff is **NOTIFIED** that failure to respond to outstanding discovery requests, and to respond to Defendants' motion to compel, may result in dismissal of this case for failure to prosecute.

This case is set for a discovery status conference by telephone on **August 18, 2015 at 11:00 a.m.** The parties are **ORDERED** to participate. Plaintiff shall participate on the call herself if not represented by counsel. The parties shall call: 1-877-336-1839, enter access code 2725365, security code 123456, and wait for the Court to join the conference. The parties are **NOTIFIED** that failure to participate in the discovery status conference may result in sanctions up to and including dismissal of this case or the entry of default.

The Clerk of Court is **ORDERED** to serve this **ORDER** on Plaintiff at the address set forth in the Certificate of Service appended to the motion to withdraw (doc. 11 at PageID 195), *i.e.*, **35 Illinois Avenue, Dayton, Ohio 45410**. The Clerk shall also provide Plaintiff with a copy of the current docket sheet.

IT IS SO ORDERED.

Date: August 3, 2015

s/Michael J. Newman
Michael J. Newman
United States Magistrate Judge